

**Commonwealth of Kentucky  
Energy and Environment Cabinet  
Department for Environmental Protection  
Division for Air Quality  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, Kentucky 40601  
(502) 564-3999**

**Draft**

**AIR QUALITY PERMIT  
Issued under 401 KAR 52:020**

**Permittee Name:** GE Lighting, LLC  
**Mailing Address:** 116 West University Drive, Somerset, KY 42503

**Source Name:** GE Lighting, LLC  
**Mailing Address:** 116 West University Drive  
Somerset, KY 42503

**Source Location:**

**Permit:** V-08-042  
**Agency Interest:** 3809  
**Activity:** APE20080001  
**Review Type:** Title V / Synthetic Minor, Operating  
**Source ID:** 21-199-00021

**Regional Office:** London Regional Office  
875 S. Main Street  
London, KY 40741  
(606) 330-2080

**County:** Pulaski

**Application**  
**Complete Date:** December 29, 2008  
**Issuance Date:**  
**Revision Date:**  
**Expiration Date:**

---

**John S. Lyons, Director  
Division for Air Quality**

## TABLE OF CONTENTS

SECTION	ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	Renewal	1
B. EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	Renewal	2
C. INSIGNIFICANT ACTIVITIES	Renewal	16
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	Renewal	18
E. SOURCE CONTROL EQUIPMENT REQUIREMENTS	Renewal	19
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	Renewal	20
G. GENERAL PROVISIONS	Renewal	23
H. ALTERNATE OPERATING SCENARIOS	Renewal	28
I. COMPLIANCE SCHEDULE	Renewal	28

Permit Number	Activity or Log #	Complete Date	Issuance Date	Summary of Action
V-03-028	F389/50200	1-19-1998	12-23-03	Initial Title V Operating Permit
V-08-042	APE20080001	12-29-2008		Title V Renewal

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS****Emission Unit 1000 & 2000 (B-2 & B-1) – Indirect Heat Exchangers**

<b>Emission Unit</b>	<b>Description</b>	<b>Rated Capacity</b>	<b>Control Device</b>	<b>Installed</b>
1000 (B-2)	Power Master Unit	10.4 MMBtu/hr	None - Natural Gas	1957
2000 (B-1)	Orr & Sewbower	20.9 MMBtu/hr	None - Natural Gas	1967

**Applicable Regulations:**

401 KAR 61:015, existing indirect heat exchangers applicable to an emission unit less than 250 MMBtu per hour and commenced before April 9, 1972.

**1. Operating Limitations:**

None

**2. Emission Limitations:**

- a. Pursuant to 401 KAR 61:015, Section 4(1), particulate matter (PM) emissions from each stack shall not exceed 0.63 lb/MMBtu based on a three-hour average.
- b. Pursuant to 401 KAR 61:015, Section 4(3), opacity shall not exceed 40 percent opacity, except:  
Emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations.
- c. Pursuant to 401 KAR 61:015, Section 5(1), sulfur dioxide (SO<sub>2</sub>) emissions from each stack shall not exceed 3.55 lb/MMBtu based on a twenty-four-hour average.

**Compliance Demonstration Method:**

These units are assumed to be in compliance with the allowable PM, opacity, and SO<sub>2</sub>, limitations while burning natural gas.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the amount of gas used on a monthly basis.

**5. Specific Recordkeeping Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the permittee shall keep records of the amount of gas used on a monthly basis.

**6. Specific Reporting Requirements:**

See Section F.

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

**Emission Units 3001 – 10000, Miscellaneous Emission Units Constructed or Modified after 1975.**

### Descriptions:

<b>Emission Unit</b>	<b>Description</b>	<b>Raw Material Processing Rate</b>	<b>Control Device</b>
3000 (BM-1A)	Raw Material Unloading	50 tons/hr 29,000 tons/yr	None
3002 (BM-1B1)	Bulk Material Unloading Conveyor	50 tons/hr 29,000 tons/yr	Baghouse BG-1
3003 (BM-1B2)	Raw Material Unloading Elevator	50 tons/hr 29,000 tons/yr	Baghouse BG-1
4001 (BM-2A)	Boric Acid Storage Silo and Anhydrous Boric Acid Storage Bin	8.57 tons/hr	Passive Vent Filter
4002 (BM-2B)	Screened Sand Storage Silo	8.57 tons/hr	Passive Vent Filter
4003 (BM-2A)	Cullet Storage Silo	8.57 tons/hr	Passive Vent Filter
4004 (BM-2B)	Electrostatic Precipitator Catch Storage Silo	0.5 tons/hr	Passive Vent Filter
4005 (BM-2A)	Sodium Silica Fluoride Storage Bin	0.5 tons/hr	Passive Vent Filter
4006 (BM-2A)	Aluminum Hydrate Storage Bin	0.5 tons/hr	Passive Vent Filter
4007 (BM-2A)	5 Mol Borax Bin	2.7 tons/hr	Passive Vent Filter
4008 (BM-2A)	Unscreened Sand Storage Silo	9.2 tons/hr	Passive Vent Filter

### 915 SF System

<b>Emission Unit</b>	<b>Description</b>	<b>Raw Material Processing Rate</b>	<b>Control Device</b>
5001 (MH1-2A)	125 lb Raw Material Scale	0.175 tons/hr	Passive Vent Filter
5002 (MH1-2B)	1000 lb Raw Material Scale	3.6 tons/hr	Passive Vent Filter
5003 (MH1-2C)	3000 lb Raw Material Scale	10.8 tons/hr	Passive Vent Filter
6000 (MH1-3)	Furnace Raw Materials Mixer	14.5 tons/hr	Vent Recycle
7000 (MH1-5)	Mixed Batch Bin	14.5 tons/hr	None
8001 (MH1-6A)	Furnace Batch Scale	5.6 tons/hr	RotoClone
8002 (MH1-6B)	Furnace Cullet Scale	5.6 tons/hr	RotoClone

## SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Unit	Description	Raw Material Processing Rate	Control Device
9001 (MH1-7A)	Furnace Batch Screw Feeder	5.6 tons/hr	RotoClone
9002 (MH1-7B)	Furnace Cullet Vibrating Conveyor	5.6 tons/hr	RotoClone
9003 (MH1-7C)	Furnace Pocket Feed Conveyor	7.2 tons/hr	RotoClone
10000 (MH1-9C2)	Furnace Cullet Elevator	14.7 tons/hr	RotoClone

### APPLICABLE REGULATIONS:

401 KAR 59:010, New Process operations.

1. **Operating Limitations:**

None

2. **Emission Limitations:**

- a. Pursuant to 401 KAR 59:010, Section 3(2), and in accordance with the state-only requirements in Operating Permit O-88-072, particulate emission from each stack shall not exceed the lb/hr and the tons/yr limitations set in the table below.:

Emission Unit #	401 KAR 59:010/O-88-072 PM emissions limit (lb/hr)	State-only requirements in O-88-072 PM emissions limit (ton/yr)
3001, 3002, 3003	32.4	9.06
4001, 4002, 4003	13.6	13.1
4004, 4005, 4006, 4007, 4008	2.34	2.25
5001, 5002, 5003, 6000, 7000	7.09	24.8
8001, 8002, 9001, 9002, 9003, 10000	10.6	24.8

- b. Pursuant to 401 KAR 59:010, Section 3(1)(b), visible opacity emissions from each stack shall not equal or exceed 20%.

### **Compliance Demonstration Method:**

- a. For compliance with visible emissions limit, see Subsection 3, Testing Requirements and Subsection 4, Specific Monitoring Requirements.
- b. Particulate emission rate in (lbs/hour) = Monthly operating rate (tons/month) x [Emission factor (lb PM/ton) / Hours of operation per month (hr/month)] x [1 – control device efficiency] Emission factors from each unit or transfer point were derived from factors presented in U.S. EPA's Source Assessment: Pressed and Blown Glass Manufacturing Plants (EPA-600/2-77-005).

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**3. Testing Requirements:**

See Subsection 4c.

**4. Specific Monitoring Requirements:**

- a. Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the amount and type of materials added to each silo each month.
- b. Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor the pressure drop across the baghouse and RotoClone at least once per day.
- c. Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from each stack on a weekly basis and maintain a log of the observations. If emissions from a stack are seen (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection of control equipment shall be initiated for all necessary repairs;

**5. Specific Recordkeeping Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the permittee shall retain records of the following:

- a. The monthly hours of operation and material processing rate.
- b. The daily pressure drop reading across the baghouse, and RotoClone.
- c. Weekly qualitative opacity readings from each stack and the opacity determined by Reference Method 9, if any were taken, and documentation of any repairs that were made due to any opacity reading which exceeded the standard.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to 401 KAR 50:055, Section 5, the baghouses shall be operated to maintain compliance with the permitted emission limitations, in accordance with the manufacturer's specifications and good engineering practices.
- b. Pursuant to 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained
- c. See Section E for additional requirements.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emission Unit 12000            915 SF Melter (F1-1)**

### **Description:**

Raw Material Processing Rate: 5.83 tons/hr, 140 tons/day, and 51,100 tons/yr

Control Device: Electrostatic Precipitator

Constructed 1957, Last Modified 1993

### **APPLICABLE REGULATIONS:**

401 KAR 53:010, Ambient Air Quality Standards

401 KAR 63:020, Potentially Hazardous Matter or Toxic Substances

40 CFR 60, Subpart CC – Standards of Performance for Glass Manufacturing Plants

#### **1.    Operating Limitations:**

- a. The glass pull rate shall not exceed 140 tons/day, 51,100 tons/yr. [Self imposed restriction to preclude the applicability of 401 KAR 51:017]
- b. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants.

#### **2.    Emission Limitations:**

- a. Pursuant to 40 CFR 60, Subpart CC, particulate matter emission shall not exceed 0.5 grams of particulate/kg of glass produced, calculated as shown in 40 CFR 60.296 (d)(1).
- b. Pursuant to 401 KAR 53:010, no person shall, directly or indirectly, emit into or discharge into the air, or cause, permit, or allow to be emitted or discharged into such air contaminants that shall cause or contribute to the pollution of the air of the Commonwealth in contravention of the emission standards or the ambient air standards (refer to primary and secondary ambient air quality standards in Appendix A to 401 KAR 53:010).

#### **Compliance Demonstration Method:**

- a.  $\text{Particulate matter emission rate in (lbs/hour)} = \text{Monthly operating rate (tons/month)} \times \text{emission factor of 0.22 lbs/ton} / \text{hours of operation per month (hrs/month)} \times (1 - \text{control device efficiency of 95\%})$
- b. For compliance with the ambient air quality standards, see Subsection 3, Testing Requirements and Section G5, General Provisions.

#### **3.    Testing Requirements:**

- a. Pursuant to 401 KAR 50:045, EPA Reference Method 5 or equivalent shall be performed within one year from issue of the final permit (V-08-042) to determine the amount of PM emissions per ton of raw material processed through the unit.
- b. Pursuant to 401 KAR 50:045, EPA Reference Method 13 or equivalent shall be performed within one year from issue of the final permit (V-08-042) to determine the amount of total fluoride emissions per ton of raw material processed through the unit.



## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- c. Pursuant to 401 KAR 50:045, EPA Reference Method 29 or equivalent shall be performed within one year from issue of the final permit (V08-042) to determine antimony emissions per ton of raw material processed through the unit.
- d. Pursuant to 401 KAR 50:045, EPA Reference Method 26A or equivalent shall be performed within one year from issue of the final permit (V-08-042) to determine chlorine emissions per ton of raw material processed through the unit.
- e. See Section D, Source Emission Limitations and Testing Requirements, for additional requirements.

**4. Specific Monitoring Requirements:**

Pursuant to 401 KAR 52:020, the permittee shall monitor the daily raw material used and the glass pull rate.

**5. Specific Recordkeeping Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the permittee shall retain records of the following:

- a. The daily glass pull rate.
- b. All information used in calculating emissions.
- c. The daily raw material usage rate.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to 401 KAR 50:055, Section 5, the ESP shall be operated to maintain compliance with the permitted emission limitations, in accordance with the manufacturer's specifications and good engineering practices.
- b. Pursuant to 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained
- c. See Section E for additional requirements.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Unit 18000 (F2-1): 100 SF #2 Furnace Melter/Refiner****Description:**

Raw Material Processing Rate: 0.17 tons/hr

Control Device: None

Constructed 1957, Last Modified 1962

**APPLICABLE REGULATIONS:**

401 KAR 53:010, Ambient Air Quality Standards

401 KAR 63:020, Potentially Hazardous Matter or Toxic Substances

401 KAR 61:020, Existing Process Operations.

**1. Operating Limitations:**

The glass pull rate shall not exceed 0.17 tons/hr, and the combined total processing rate of raw materials used in the emission unit shall not exceed 1,118.21 tons/year. [Self imposed restriction, to preclude the applicability of 401 KAR 51:017]

**2. Emission Limitations:**

- a. Pursuant to 401 KAR 61:020, Section 3, and in accordance with the state-only requirements in Operating Permit O-88-072, particulate emission shall not exceed the lb/hr and the tons/yr limitations set in the table below.

Emission Unit #	401 KAR 61:020/O-88-072 PM emissions limit (lb/hr)	state-only requirements in O-88-072 PM emissions limit (ton/yr)
18000	2.58	11.3

- b. Pursuant to 401 KAR 61:020, Section 3(1)(a), no person shall cause, suffer, allow or permit continuous emissions into an open air from a control devices or stack associated with any affected facility which is equal to or greater than forty (40) percent opacity based on a six-minute average.

**Compliance demonstration:**

- a. Particulate emission rate in (lbs/hour) = Monthly operating rate (tons/month) x [Emission factor (lb PM/ton) / Hours of operation per month (hr/month)] x [1 – control device efficiency]
- b. For compliance with the visible emissions limit, see Subsection 4, Specific Monitoring Requirements.

**3. Testing Requirements:**

- a. Pursuant to 401 KAR 50:-045, EPA Reference Method 29 or equivalent shall be performed within one year from issue of the final permit (V-08-042) to determine antimony emissions per ton of raw material processed through the unit.
- b. Pursuant to 401 KAR 50:045, EPA Reference Method 26A or equivalent shall be performed within one year from issue of the final permit (V-08-042) to determine chlorine emissions per ton of raw material processed through the unit.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- c. See Section D, Source Emission Limitations and Testing Requirements, for additional requirements.

**4. Specific Monitoring Requirements:**

- a. Pursuant to 401 KAR 52:020, Section 26, the permittee shall monitor monthly hours of operation/material processing rate.
- b. Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection of the unit shall be initiated for all necessary repairs;

**5. Specific Recordkeeping Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the permittee shall retain records of the following:

- a. The monthly hours of operation/material processing rate.
- b. The qualitative visual observations and any opacity readings which exceed the standard.

**6. Specific Reporting Requirements:**

None.

**7. Specific Control Equipment Operating Conditions:**

None.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Unit 22000 (CR-2):      Hard Chromium Electroplating****Description:**

Volumetric Flow Rate of the Hood over the Plating Tank of 4,008 dscm/hr

Maximum Production Rate: 1000 amp-hr/hr

Constructed or Modified after 1975

Control Device: Packed Bed Scrubber/Composite Mesh Pad System

**Applicable Regulations:**

401 KAR 59:010, New Process Operations.

401 KAR 63:020, Potentially Hazardous Matter or Toxic Substances

40 CFR 63, Subpart N - National emission standards for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks.

**1.      Operating Limitations:****a.      40 CFR 63.342(f) Work practice standards:**

- (1) At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the affected source in a manner consistent with good air pollution control practices, consistent with the operation and maintenance plan required by paragraph c. of this section.
  - (2) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the operation and maintenance plan required by paragraph c. of this section.
  - (3) Operation and maintenance requirements established pursuant to section 112 of the Clean Air Act are enforceable independent of emissions limitations or other requirements in relevant standards.
- b. (1) Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results; review of the operation and maintenance plan, procedures, and records; and inspection of the source.
- (2) Based on the results of a determination made under paragraph b(1) of this section, the Division may require that the permittee make changes to the operation and maintenance plan required by paragraph c. of this section for that source. Revisions may be required if the Division finds that the plan:
- (A) Does not address a malfunction that has occurred;
  - (B) Fails to provide for the operation of the affected source, the air pollution control techniques, and process monitoring equipment during a malfunction in a manner consistent with good air pollution control practices; or
  - (C) Does not provide adequate procedures for correcting malfunctioning process equipment, air pollution control techniques, or monitoring equipment as quickly as practicable.
- c. The owner or operator shall operate and maintain the unit in accordance with the operation and maintenance plan, which meets all the criteria outlined in 40 CFR 63.342(f)(3).
- d. The composite mesh-pad system shall be operated within  $\pm 1$  inch of water column of the pressure drop value established during the initial performance test, or shall be operated within the range of compliant values for pressure drop established during multiple performance tests. [40 CFR 63.343(c)(1)(ii)]

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- e. A washdown of the composite mesh-pads shall be performed in accordance with manufacturers recommendations. [40 CFR 63.432 Table 1]

**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010, Section 3(2), and in accordance with the state-only requirement in Operating Permit O-88-072, particulate emissions shall not exceed 2.34 lb/hr, and 2.68 tons per year.
- b. Pursuant to 401 KAR 59:010, no person shall cause, suffer, allow or permit continuous emissions into the open air from a control device or stack associated with any affected facility which is equal to or greater than twenty (20) percent opacity.
- c. Total chromium emissions shall not equal or exceed 0.03 mg/dscm or 1.3E-05 gr/dscf [40CFR63.342(c)(1)(ii)].

**Compliance Demonstration Method:**

- a. For compliance with the PM emission limit, an emission factor of 0.0395 mg/amp-hr shall be used until new information is gathered from the compliance test that shall be performed within one year from issue of this permit. Emission factors derived from compliance testing are to replace the emission factor currently listed in the permit, and shall be used to calculate future emissions.  
$$\text{Particulate emission rate in (tons/yr)} = \text{Operating hours/year} \times 0.0395 \text{ mg/amp-hour} \times 1000 \text{ amp-hour/hour} \times 1.1 \times 10^{-9} \text{ tons/mg}$$
- b. For compliance with the visible emissions limit, see Subsection 4, Specific Monitoring Requirements and Subsection 5, Specific Recordkeeping Requirements.
- c. For compliance with the chromium emissions limit, see Subsection 4, Specific Monitoring Requirements and Subsection 5, Specific Recordkeeping Requirements.

**3. Testing Requirements:**

Pursuant to 401 KAR 50:045, the permittee shall conduct a chromium compliance test within one year of the issuance date of the final permit (V-08-042), using EPA Reference Method 306, and in accordance with the procedures in Section G.5 of this permit.

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the pressure drop across the composite mesh-pad system once each day that any affected source is operating. [40 CFR 63.343(c)(1)(ii)]
- b. Once per quarter, visually inspect the control device to ensure there is proper drainage, no chronic acid buildup on the pads, and no evidence of chemical attack on the structural integrity. [40 CFR 63.432 Table 1]
- c. Once per quarter, visually inspect the back portion of the mesh pad closest to the fan to ensure there is no breakthrough of chromic acid mist. [40 CFR 63.432 Table 1]
- d. Once per quarter, visually inspect ductwork from the tank to the control device to ensure there are no leaks. [40 CFR 63.432 Table 1]
- e. Pursuant to 401 KAR 52:020, Section 26, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on an annual basis and maintain a log of the observations. If emissions from the stack are seen (not including condensed water vapor within the plume), then the opacity shall be determined by EPA Reference Method 9. If

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

emissions are in excess of the applicable opacity limit, then an inspection of control equipment shall be initiated for all necessary repairs;

**5. Specific Recordkeeping Requirements:**

- a. See Section F.
- b. Pursuant to 40 CFR 63.346(b), the permittee shall retain records of the following:
  - (1) Inspection records for the add-on air pollution control device, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of 40 CFR 63.342(f) and Table 1 of 40 CFR 63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection.
  - (2) Maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment.
  - (3) Records of the occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment.
  - (4) Records of actions taken during periods of malfunction when such actions are inconsistent with the operation and maintenance plan.
  - (5) Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of the operation and maintenance plan required by 40 CFR 63.342(f)(3) and in Part 1. Operating Limitations c.
  - (6) Test reports documenting results of all performance tests.
  - (7) All measurements as may be necessary to determine the conditions of performance tests, including measurements necessary to determine compliance with the special compliance procedures of 40 CFR 63.344(e).
  - (8) Records of monitoring data required by 40 CFR 63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected.
  - (9) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment.
  - (10) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment.
  - (11) The total process operating time of the affected source during the reporting period.
  - (12) The actual cumulative rectifier capacity of hard chromium electroplating tanks at a facility expended during each month of the reporting period, and the total capacity expended to date for a reporting period, and the total capacity expended to date for a reporting period, if the permittee or operator is using the actual cumulative rectifier capacity to determine facility size in accordance with 40 CFR 63.342(c)(2).
  - (13) Documentation supporting the notifications and reports required by 40 CFR 63.347 and listed under Part 6. Specific Reporting Requirements.
- c. The permittee shall retain records of the qualitative visual observations and any opacity readings, which exceed the standard.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****6. Specific Reporting Requirements:**

- a. See Section F.
- b. Pursuant to 40 CFR 63.347 (g) *Ongoing compliance status reports for major sources*, the permittee shall prepare a summary report to document the ongoing compliance status of the affected source. The summary report shall be submitted semiannually except when:
  - (1) The Division determines on a case-by case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or
  - (2) The monitoring data collected by the permittee or operator of the affected source in accordance with 40 CFR 63.343(c) show that the emission limit has been exceeded, in which case a quarterly reports shall be submitted. Once the permittee or operator of an affected source reports an exceedance, ongoing compliance status reports shall be submitted quarterly until a request to reduce reporting frequency under paragraph (g)(2) of 40 CFR 63.347 is approved.
- c. Pursuant to 40 CFR 63.347(g)(3) *Contents of ongoing compliance status reports*, the report must contain the following information:
  - (1) The company name and address of the affected source.
  - (2) An identification of the operating parameters that are monitored for compliance determination, as required by 40 CFR 63.343(c).
  - (3) The relevant emission limitation for the affected source, and the operating parameter value, or range of values, that correspond to compliance with this emission limitation as specified in the notification of compliance status detailed in 40 CFR 63.347 (e) *Notification of compliance status*.
  - (4) The beginning and ending dates of the reporting period.
  - (5) A description of the type of process performed in the affected source.
  - (6) The total operating time of the affected source during the reporting period.
  - (7) If the affected source is a hard chromium electroplating tank and the owner or operator is limiting the maximum cumulative rectifier capacity in accordance with 40 CFR 63.342(c)(2), the actual cumulative rectifier capacity expended during the reporting period, on a month-by-month basis.
  - (8) A summary of operating parameter values, including the total duration of excess emissions during the reporting period as indicated by those values, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to process upsets, control equipment malfunctions, other known causes, and unknown causes.
  - (9) A certification by a responsible official, as defined in 40 CFR 63.2, that the work practice standards in 40 CFR 63.342(f) were followed in accordance with the operation and maintenance plan for the source.
  - (10) If the operation and maintenance plan required by 40 CFR 63.342(f)(3) was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emission and/or parameter monitoring exceedances are believed to have occurred, and a copy of the report required by 40 CFR 63.342(f)(3)(iv) documenting that the operation and maintenance plan was not followed.
  - (11) A description of any changes in monitoring, processes, or controls since the last reporting period.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

- (12) The name, title, and signature of the responsible official who is certifying the accuracy of the report.
- (13) The date of the report.

**7. Specific Control Equipment Operating Conditions:**

- a. Pursuant to 401 KAR 50:055, Section 5, the control equipment shall be operated to maintain compliance with the permitted emission limitations, in accordance with the manufacturer's specifications and good engineering practices.
- b. Pursuant to 401 KAR 59:005, Section 3(4), records regarding the maintenance of the control equipment shall be maintained
- c. Refer to Subsection 4, Specific Monitoring Requirements and Subsection 5, Specific Recordkeeping Requirements.
- d. See Section E for additional requirements.



## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emission Units 23000: Glass Cleaning**

#### **Description:**

Seven 42-gallon washing tanks, two soap mixing tanks, four holding reservoirs, and one reverse-osmosis de-ionized water purification system

Maximum Production Rate: 1 gallon Oxide Remover (0.01 % ammonia)/hr  
1 gallon Ethanolamine Solution (10 % ethanolamine)/hr

Constructed or Modified after 1975

Control Device: None

#### **APPLICABLE REGULATIONS:**

401 KAR 63:020, Potentially Hazardous matter or toxic substances.

#### **1. Operating Limitations:**

- a. Pursuant to KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities.
- b. Pursuant to KAR 63:020 and in accordance with the state-only requirements in C-92-008, the ethanolamine feed rate shall not exceed 0.8905 lb/hr.

#### **2. Emission Limitations:**

Pursuant to 401 KAR 63:020, no owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants.

#### **Compliance Demonstration Method:**

The unit is in compliance, as long as condition b. under the operating limitations is not exceeded.

#### **3. Testing Requirements:**

None.

#### **4. Specific Monitoring Requirements:**

Pursuant to 401 KAR 52:020, Section 26, the ethanolamine feed rate shall be monitored on a monthly basis.

#### **5. Specific Recordkeeping Requirements:**

Pursuant to 401 KAR 52:020, Section 26, monthly records of amounts of HAP/VOC containing material used shall be kept.

#### **6. Specific Reporting Requirements:**

See Section F.

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Wagon Loading from Dust Collector-BM-1C	401 KAR 63:010
2. Conveying Eqpt. Cleanout Material to Chute-BM-1D1	401 KAR 63:010
3. Wagon Loading material from chute-BM1-D2	401 KAR 63:010
4. Fourteen raw material storage bins-BM-2A	401 KAR 61:020
5. Two raw material storage bins- BM-2B	401 KAR 63:010
6. Minor ingredients weigh scale-MH1-1A	401 KAR 63:010
7. Minor ingredients salt mixer-MH1-1B	401 KAR 63:010
8. Minor ingredients salt hopper-MH1-1C	401 KAR 63:010
9. Raw material scale-MH1-2A	401 KAR 61:020
10. 1000 lb raw material scale-MH1-2B	401 KAR 61:020
11. 3000 lb raw materials mixer-MH1-2C	401 KAR 59:010
12. No1 furnace raw materials mixer-MH1-3	401 KAR 59:010
13. No1 Furnace magnetic separator belt conveyor-MH1-4A1	401 KAR 61:020
14. Batch elevator-MH1-4A2	401 KAR 63:010
15. Catwalk conveyor-MH1-4A3	401 KAR 63:010
16. Wagon loading badbatch from magnetic separator-MH1-4B	401 KAR 63:010
17. Wagon loading badbatch withdraw-MH1-4C	401 KAR 63:010
18. Wagon loading for catwalk cleaning-MH1-4D	401 KAR 63:010
19. Mixed batch bin-MH1-5	401 KAR 63:010
20. Furnace batch scale-MH1-6A	401 KAR 59:010
21. No.1 furnace cullet scale-MH1-6B	401 KAR 59:010
22. No.1 furnace batch screw feeder-MH1-7A	401 KAR 59:010
23. No.1 furnace cullet vibrating conveyer-MH1-7B	401 KAR 61:020
24. No furnace pocket/feed conveyor-MH1-7C	401 KAR 61:020
25. No.1 furnace feed hopper/screw feeders-MH1-8	401 KAR 63:010
26. Conveyor/magnetic separator-MH1-9C1	401 KAR 63:010
27. No.1 furnace cullet elevator-MH1-9C2	401 KAR 61:020
28. No.1 furnace cullet bin-MH1-9C3	401 KAR 63:010
29. No.1 furnace cullet storage piles-MH1-10	401 KAR 63:010
30. No.1 furnace cullet crusher-MH1-11	401 KAR 61:020
31. No.1 furnace EP dust handling-MH1-12	401 KAR 63:010
32. No.1 furnace forehearth-F1-2	None
33. Needle preheat-F1-3	None
34. No.1 furnace presses/punches-P1-1	None
35. No.1 furnace annealing lehars-L1-1	None
36. No.2 furnace feed scale-MH2-1	401 KAR 61:020
37. No.2 furnace raw material mixer-MH2-2	401 KAR 61:020

**SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)**

<u>Description</u>	<u>Generally Applicable Regulation</u>
38. No.2 furnace charge bin/screw feeder-MH2-3	401 KAR 63:010
39. No.2 crusher-MH2-5	401 KAR 63:010
40. No.2 furnace forehearth-F2-2	None
41. No.2 furnace presses/punches	None
42. No.2 furnace annealing lehrs-L2-1	None
43. Ultrasonic glass cleaning-GC-1	401 KAR 61:020
44. Chrome stripping-CR-1	401 KAR 61:020
45. Grinding for chrome plating-CR-3	401 KAR 61:020
46. Glass bead blasting-CR-4	401 KAR 61:020
47. Abrasive blaster-CR-5	401 KAR 61:020
48. Hand buffing and grinding-CR-6	401 KAR 61:020
49. Six space heaters<1mmBtu-SH-1	None
50. Two natural gas furnaces for warehouse-SH-2	None
51. Machine shop/portable welding-W-1	401 KAR 61:020
52. Steam jenny-SJ-1	None
53. Cooling tower water treatment-CT-1	None
54. Emergency diesel generator-EG-1A	401 KAR 61:020
55. Organic storage material-ST-1	None

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate matter emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. Pursuant to KAR 63:020 and in accordance with the state-only requirements in C-92-008, source wide emission of ethanolamine shall not exceed 1.98 lb/hr.

**Compliance Demonstration Method:** It was assumed that all ethanolamine would be released as fugitive emissions to determine the allowable emission rate from a screening model. The permittee shall maintain records of the calculations to determine source wide emission of ethanolamine with all data used in the calculations. Records shall be maintained for the current year and the two previous years.

4. To demonstrate compliance with 401 KAR 63:020, and in accordance with the state-only requirements in Operating Permit O-88-072:
  - a. Hydrogen chloride emission from the source shall not exceed 8.40 lb/hr and 36.8 tons/yr.
  - b. Antimony trioxide emission from the source shall not exceed 0.598 lb/hr and 2.62 tons/yr.
  - c. Titanium dioxide emission from the source shall not exceed 5.98 lb/hr and 26.2 tons/yr.

**Compliance Demonstration Method:** The permittee shall maintain records of the calculations to determine source wide emission of hydrogen chloride, antimony trioxide, and titanium dioxide, with all data used in the calculations. Records shall be maintained for the current year and the two previous years.

5. To demonstrate compliance with 401 KAR 63:020, within 6 months of the issuance date of this permit, the permittee shall perform a stack test to determine antimony and chlorine emission rates from the two melters (915 SF Melter and 100 SF #2 Furnace Melter/Refiner). Testing and reporting of results of such testing shall be conducted in accordance with Section G5, Testing Requirements, of this permit.

Emission rates determined by testing shall be used in SCREEN3 and reported to the Division at the same time as the results of the performance tests. If the predicted annual concentration exceeds  $0.02 \mu\text{g}/\text{m}^3$  for either pollutant (antimony and chlorine), the permittee shall conduct more refined modeling using models approved by the Division. If the predicted concentrations of antimony and chlorine exceed  $0.02 \mu\text{g}/\text{m}^3$  for either pollutant, within 90 days of the stack test, the permittee shall propose a plan to reduce antimony and chlorine emissions below  $0.02 \mu\text{g}/\text{m}^3$  or provide evidence that the permittee is not emitting potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants [401 KAR 63:020].

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

## SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place as defined in this permit, and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

## **SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Deviations from permit requirements, including those previously reported under F.7 above, shall be included in the semiannual report required by F.6 [Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
  - a. Identification of the term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
  - f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality  
London Regional Office  
875 S. Main Street  
London, KY 40741

U.S. EPA Region 4  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsyth St.  
Atlanta, GA 30303-8960

Division for Air Quality  
Central Files  
200 Fair Oaks Lane, 1<sup>st</sup> Floor  
Frankfort, KY 40601

**SECTION F - MONITORING, RECORDKEEPING, AND REPORTING  
REQUIREMENTS (CONTINUED)**

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.



**SECTION G - GENERAL PROVISIONS****1. General Compliance Requirements**

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
  - (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;
  - (4) New requirements become applicable to a source subject to the Acid Rain Program.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020 Section 3(1)(c)].

## SECTION G - GENERAL PROVISIONS (CONTINUED)

- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a-15-b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3) 2.].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3) 4.].
- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3) 1.].
- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- q. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
  - (1) Applicable requirements that are included and specifically identified in the permit and
  - (2) Non-applicable requirements expressly identified in this permit.

**2. Permit Expiration and Reapplication Requirements**

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
- b. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

**3. Permit Revisions**

- a. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

**4. Construction, Start-Up, and Initial Compliance Demonstration Requirements**

No construction is authorized by this permit.

**5. Testing Requirements**

- a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

**6. Acid Rain Program Requirements**

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

**7. Emergency Provisions**

- a. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - (1) An emergency occurred and the permittee can identify the cause of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - (4) Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
  - (5) This requirement does not relieve the source of other local, state or federal notification requirements.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

- b. Emergency conditions listed in General Condition G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
- c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

### **8. Ozone Depleting Substances**

- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
  - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

### **9. Risk Management Provisions**

- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 1515  
Lanham-Seabrook, MD 20703-1515.

- b. If requested, submit additional relevant information to the Division or the U.S. EPA.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

NA

**SECTION I - COMPLIANCE SCHEDULE**

NA